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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO.       |
|--|-------------|----------------------|------------------------------|------------------------|
| 10/734,725   | 12/12/2003  | Daniel T. Johnson    | 80769-359874                 | 1983                   |
| 25764 7590 12/22/2008<br>FAEGRE & BENSON LLP<br>PATENT DOCKETING<br>2200 WELLS FARGO CENTER<br>90 SOUTH SEVENTH STREET<br>MINNEAPOLIS, MN 55402-3901 |             |                      | EXAMINER<br>ENGLAND, DAVID E |                        |
|  |             |                      | ART UNIT<br>2443             | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>12/22/2008      | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Pre-Interview Communication

(For use in the First Action Interview Pilot Program)

Application No.

10/734,725

Applicant(s)

JOHNSON ET AL.

Examiner

DAVID E. ENGLAND

Art Unit

2443

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is **NOT** extendable under 37 CFR 1.136(a). This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

To avoid abandonment of the application, applicant must, within this time period for reply, file:

- (1) A letter requesting not to have a first-action interview, or
- (2) A completed Applicant Initiated Interview Request Form (PTOL-413A) accompanied by a proposed amendment or arguments.

Inventor participation in the Pre-First Action Interview is encouraged if it would expedite resolution of the application.

### Disposition of Claims

- 3) ☒ Claim(s) 1-8,26-37 is/are pending in the application.  
3a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 4) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 5) ☒ Claim(s) 1-8,26-37 is/are rejected.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 7) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 8) ☐ The specification is objected to by the Examiner.
- 9) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 11) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

### Contact Information

Examiner's Telephone Number: (571)272-3912  
Examiner's Typical Work Schedule: Mon-Thur, 7:00-5:00  
Supervisor's Name: Tonia Dollinger  
Supervisor's Telephone Number: 571-272-4170

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/28/04, 1/12/07, 3/20/08, 6/24/08, 7/18/08.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**Pre-Interview Communication**

(For use in the First Action Interview Pilot Program)

Application No.

10734725

Applicant(s)

JOHNSON ET AL.

Examiner

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## Notification of Rejection(s) and/or Objection(s)

| # | Claim(s)  | Reference(s)<br>(if applicable) | Rejection<br>Statutory Basis | Brief Explanation of Rejection   |
|---|-----------|---------------------------------|------------------------------|--|
| 1 | 29        |                                 | objection                    | Claim 29 depends on a canceled claim. Claim 29 will be assumed to be dependent on claim 1.   |
| 2 | 1-8,26-37 | A                               | 102(e)                       | Claims 1, 5, 30 (col. 3, lines 25-53, col. 8, line 53-col. 9, line 64).<br>Claims 2,3,6,7,8,26,28,31-37 (col. 8, line 53-col. 9,line 64, col. 10, lines 25-col. 11,line 20). |
|   |           |                                 |                              |  |
|   |           |                                 |                              |  |
|   |           |                                 |                              |  |

## Expanded Discussion/Commentary

|   |  |   |
|---|--|---|
| 2 |  | Claims 4,27,29 (col. 3, line54-col. 4, line 60, col. 8; line53-col. 9, line 64 et seq.).  |
| 3 |  | IDs filed 1/12/2007 with the heading of "Pays, P. et al., An intermediation and payment..." is missing pages. Please provide the full document. |
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|   |  |   |

DATE:  
12/19/2008/David E. England/  
Examiner, Art Unit 2443